

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Seanah Dixon,  
Plaintiff  
v.  
David Rivas, et al.,  
Defendants

Case No. 2:22-cv-01464-JAD-VCF

## **Order Dismissing and Closing Case**

[ECF Nos. 1, 3]

On September 8, 2022, Plaintiff Seanah Dixon brought this civil-rights lawsuit under § 1983, claiming that her rights were violated during her time at High Desert State Prison. She submitted an application to proceed *in forma pauperis* and a civil-rights complaint.<sup>1</sup> One week after bringing this action, Dixon filed a motion for voluntary dismissal, stating that she “elects to voluntarily dismiss this action” as “duplicative and filed in error.”<sup>2</sup>

Under Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.”<sup>3</sup> I grant Dixon’s motion to voluntarily dismiss this action because no responsive pleading has been filed. Thus, I dismiss this action without prejudice.

**IT IS THEREFORE ORDERED** that:

- Dixon’s motion for voluntary dismissal [ECF No. 3] is GRANTED; and
  - Dixon’s application to proceed *in forma pauperis* [ECF No. 1] is DENIED AS MOOT.

<sup>1</sup> ECF Nos. 1, 1-1.

23 |<sup>2</sup> ECF No. 3.

<sup>3</sup> Fed. R. Civ. P. 41(a)(1)(A)(i).

1 IT IS FURTHER ORDERED that this action is dismissed in its entirety without prejudice  
2 and the Clerk of the Court is directed to CLOSE THIS CASE.

3 Dated: September 19, 2022

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U.S. District Judge Jennifer A. Dorsey

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